

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

In Re:

Case No. 19-21073

Juan Antonio Casarez

Chapter 13

Debtor.

Judge Kent Lindquist

OBJECTION TO CHAPTER 13 PLAN

Carvana LLC, by and through their undersigned counsel, hereby objects to the Debtor's Chapter 13 Plan filed in the above referenced case. The Debtor proposes to pay Creditor based upon a secured value of \$11,500.00 at an interest rate of 4.00%. The vehicle in question is a 2013 HYUNDAI VELOSTER COUPE - VIN KMHTC6AD6DU161746 ('Vehicle') which was purchased on or around November 29, 2018. The Debtor's bankruptcy was filed on April 24, 2019; therefore, the vehicle was purchased within 910 days of the filing of the petition. Creditor is entitled to full contract balance of the vehicle at filing, which was \$12,433.31 at a "Till" interest rate of 7.50%. (The current Wall Street Journal published prime interest rate, plus a 2% risk factor). Debtor's proposed pre-confirmation adequate protection payment amount is also inadequate. The Debtor's Chapter 13 Plan herein does not adequately protect the Creditor's interest in said Vehicle and should be denied confirmation.

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)

Sottile & Barile, Attorneys at Law

394 Wards Corner Road, Suite 180

Loveland, OH 45140

Phone: 513.444.4100

Email: bankruptcy@sottileandbarile.com

Attorney for Creditor

CERTIFICATE OF SERVICE

I certify that on July 16, 2019, a copy of the foregoing Objection was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/parties may access this filing through the Court's system:

Kevin M. Schmidt, Debtor's Counsel
courtmail@kmslawoffice.net

Paul R. Chael, Trustee
aimee@pchael13.com

Office of the U.S. Trustee
ustpregion10.so.ecf@usdoj.gov

I further certify that on July 16, 2019, a copy of the foregoing Objection was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Juan Antonio Casarez, Debtor
8131 Cedar Point Dr., Apt. B37
Crown Point, IN 46307

/s/ Molly Slutsky Simons
Molly Slutsky Simons (OH 0083702)
Attorney for Creditor